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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/738,772	12/18/2000	Masakatsu Itsukaichi	FP-1061 US	4850

7590 06/04/2004

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EXAMINER	
HANNETT, JAMES M	

ART UNIT	PAPER NUMBER
2612	3

DATE MAILED: 06/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/738,772	ITSUKAICHI, MASAKATSU	
	Examiner	Art Unit	
	James M Hannett	2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-14 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-14 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on 18 December 2000 is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Specification

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: Computer system using a digital camera that is capable of inputting moving picture or still picture data.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1: Claims 1, 4, 7 and 14 are rejected under 35 U.S.C. 102(e) as being anticipated by USPN 6,583,809 Fujiwara.

2: As for Claim 1, Fujiwara teaches a computer system comprising:

A host computer (101); a digital camera (103) for picking up a scene with an image sensor (114) and recording image data representative of said scene in a recording medium (25); Column 7, Lines 65-67, a high-speed serial interface (7) connecting said digital camera (103) to said host computer (101); Column 7, Lines 45-46. The host computer (101) comprising: a device driver; Column 3, Lines 47-59, having at least a first device function for recognizing said digital camera as a storage driver, which records data representative of a still picture, and writing or reading said image data in or out of the recording medium and a second device function for recognizing

said digital camera as an image device, which generates image data representative of a moving picture, and reading said image data out of the image sensor at a pre-selected period; Column 7, Lines 41-50. Fujiwara teaches a third device function for recognizing said digital camera as an operating device and feeding an operation command to said digital camera; Column 10, Lines 60-67 and Column 11, Lines 1-5. Fujiwara teaches in Figures 14 and 2, a digital camera (103) comprising a controller (27) for driving, in response to an access made from any one of said first to third device functions of said host computer via said high-speed serial interface (7), portions of said digital camera corresponding to said access to thereby control data transfer and a shooting operation.

3: In regards to Claim 4, Fujiwara teaches on Column 12, Lines 16-42 the digital camera (103) further comprises a speech input section (121) for generating digital speech data representative of an input speech signal, and wherein said device driver of said host computer (101) further comprises a fourth device function for receiving said digital speech data from said speech input section together with the image data representative of a moving picture via said high-speed serial interface.

4: As for Claim 7, Fujiwara teaches in the abstract in Figure 2 and on Column 5, Lines 8-15 and Column 9, Lines 12-41 a host computer (101) further comprises a communicating section (136) for interchanging data with another computer via a communication channel (108), and wherein said computer system constitutes an electronic conference system capable of sending the image data representative of a moving picture or a still picture and/or said digital speech data received via said high-speed serial interface to said another computer via said communicating section (108).

5: In regards to Claim 14, Fujiwara teaches in Figure 2, a digital camera (103) for picking up a scene with an image sensor (114) and recording image data representative of said scene in a recording medium (25) and operable under a control of an outside apparatus (8) via a high-speed serial interface (7), said outside apparatus (8) comprises a device driver; Column 3, Lines 47-59, having at least: a device driver having at least a first device function for recognizing said digital camera as a storage driver, which records data representative of a still picture, and writing or reading said image data in or out of the recording medium; a second device function for recognizing said digital camera as an image device, which generates image data representative of a moving picture, and reading said image data out of the image sensor at a preselected period; Column 7, Lines 41-50. Fujiwara teaches a third device function for recognizing said digital camera as an operating device and feeding an operation command to said digital camera; Column 2, Lines 1-10. Fujiwara teaches in Figures 14 and 2, a digital camera (103) comprising a controller (27) for driving, in response to an access made from any one of said first to third device functions of said host computer via said high-speed serial interface (7), portions of said digital camera corresponding to said access to thereby control data transfer and a shooting operation.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6: Claims 2, 3, 5, 6, 8, 9-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 6,583,809 Fujiwara.

7: In regards to Claim 2, Fujiwara teaches on Column 11, Lines 3-15, Column 11, Lines 21-42 wherein said high speed serial interface (7) comprises a USB serial interface, wherein the image data representative of a still picture is transferred by said first device function using bulk transfer, which transfers image data at an idle position of a transfer frame, wherein the image data representative of a moving picture is transferred by said second device function using isochronous transfer, which transfers a pre-selected amount of data every pre-selected frame, and wherein the operation command is transferred by said third device function using interrupt transfer; Column 11, Lines 36-39.

Fujiwara does not specifically state that the interrupt transfer transfers data when polling at a pre-selected period.

Official notice is taken that it was well know in the art at the time the invention was made that interrupt transfer transfers data when polling at a pre-selected period.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have the interrupt transfer send data when polling at a pre-selected period since it was commonly know to do so in the art at the time.

8: As for Claim 3, Fujiwara teaches on Column 11, Lines 57-62, Column 13, Lines 11-38 and Column 1, Lines 41-43 wherein said high-speed serial interface (7) comprises an IEEE 1394 serial interface, wherein the image data representative of a still picture is transferred by said first device function using asynchronous transfer, which transfers data when a bus is idle in a pre-selected transfer cycle, wherein the image data representative of a moving picture is transferred

by said second device function using isochronous transfer, which transfers data by seizing a channel every pre-selected transfer cycle. Fujiwara teaches on Column 11, Lines 36-42 and Column 11, Lines 57-62 that the computer can send operation commands to the camera. Fujiwara teaches that the method that the communication commands are sent to the camera is not limited to the transmitting method of interrupt transfer.

Official notice is taken that it was well known in the art at the time the invention was made to transmit control commands from a computer to a camera using asynchronous transfer, so that no time restraints for transmission are placed on the computer.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to transfer the control commands from the computer to the camera of Fujiwara using asynchronous transfer so that no time restraints for transmission are placed on the computer.

9: As for Claim 5, Fujiwara teaches on Column 12, Lines 16-42 the digital camera (103) further comprises a speech input section (121) for generating digital speech data representative of an input speech signal, and wherein said device driver of said host computer (101) further comprises a fourth device function for receiving said digital speech data from said speech input section together with the image data representative of a moving picture via said high-speed serial interface.

10: In regards to Claim 6, Fujiwara teaches on Column 12, Lines 16-42 the digital camera (103) further comprises a speech input section (121) for generating digital speech data representative of an input speech signal, and wherein said device driver of said host computer (101) further comprises a fourth device function for receiving said digital speech data from said

speech input section together with the image data representative of a moving picture via said high-speed serial interface.

11: In regards to Claim 8, Fujiwara teaches in the abstract in Figure 2 and on Column 5, Lines 8-15 and Column 9, Lines 12-41 a host computer (101) further comprises a communicating section (136) for interchanging data with another computer via a communication channel (108), and wherein said computer system constitutes an electronic conference system capable of sending the image data representative of a moving picture or a still picture and/or said digital speech data received via said high-speed serial interface to said another computer via said communicating section (108).

12: As for Claim 9, Fujiwara teaches in the abstract in Figure 2 and on Column 5, Lines 8-15 and Column 9, Lines 12-41 a host computer (101) further comprises a communicating section (136) for interchanging data with another computer via a communication channel (108), and wherein said computer system constitutes an electronic conference system capable of sending the image data representative of a moving picture or a still picture and/or said digital speech data received via said high-speed serial interface to said another computer via said communicating section (108).

13: In regards to Claims 10-13, Fujiwara teaches the claimed invention as discussed above, Fujiwara teaches the use of a system in which a camera can transmit both high-resolution still images and motion video to a computer over a high speed USB or IEEE connection. Fujiwara teaches that commands can be sent to the camera from the computer in order to control the cameras operation. Fujiwara further teaches that the camera performs stored program sequences in order to perform commands such as white balance and image compression. However,

Fujiwara does not teach that the computer can re-program the camera memory in order to change the software written in the memory of the camera.

Official notice is taken that it was well known in the art at the time the invention was made to enable digital cameras to have their memory reprogrammed buy a computer by uploading the new system software via a USB interface. This is advantageous because it allows a user to update the system software of their camera without having to by a new camera.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to enable the memory of the camera of Fujiwara to be reprogrammed by the computer so that the cameras software can be updated and therefore, the user would not be required to purchase a new computer when software updates were available.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US 2003/0085988 A1 Jujiwara teaches the use of a computer system that can download moving pictures and still images from a camera; USPN 6,611,284 Lourie et al teaches the use of a video conferencing camera that can also transmit still images; USPN 6,720,998 Kim teaches the use of a camera that can transmit both moving video and a still image to a computer over a USB connection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James M Hannett whose telephone number is 703-305-7880. The examiner can normally be reached on 8:00 am to 5:00 pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber can be reached on 703-305-4929. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

James M. Hannett
Examiner
Art Unit 2612

JMH
May 24, 2004

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